

MEMORANDUM ENDORSED



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September 26, 2023

BY ECF

Hon. Gregory H. Woods
United States District Judge
Southern District of New York
500 Pearl Street, Room 2260
New York, NY 10007

Re: *E.L., et al. v. New York City Dep't of Educ., et al.*
23-cv-06829-GHW

Dear Judge Woods:

I am an Assistant Corporation Counsel in the Office of Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, attorney for Defendants in the above-referenced case. This matter involves claims pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. § 1400, *et seq.*, and various other federal statutes in which Plaintiff seeks, *inter alia*, enforcement of an allegedly unimplemented administrative decision issued by an impartial hearing officer for the New York City Department of Education, and an award of reasonable attorney's fees incurred during the underlying administrative proceedings and this federal action. I write to respectfully request an adjournment of the scheduled pretrial conference until after the responsive pleadings to the Complaint are due. Plaintiff kindly consents to this request.

By way of brief background, on August 4, 2023 Your Honor scheduled an initial telephonic pretrial conference for this case for October 3, 2023 at 3:00 p.m. ECF No. 4. The Notice of the Pretrial Conference also directed the parties to confer, and submit a joint status letter describing the nature of the case and a Proposed Case Management Plan to the Court by September 26, 2023. On August 29, 2023 Your Honor kindly consented to Defendants' motion for an extension of time on consent to respond to the Complaint from August 29, 2023 to October 30, 2023. ECF No. 9.

At this time, the parties agree the outstanding issues in this case are the payment of \$4,320 relating to tutoring reimbursement awarded by the impartial hearing officer, and

attorney's fees for this federal action and the underlying administrative proceeding. It is respectfully submitted that a pretrial conference is not necessary or productive at this juncture. Defendants' counsel is hopeful that, after further consultation with their clients, the matter of the outstanding tutoring payment can be resolved without further judicial intervention. As such, Defendants' respectfully request the pretrial conference be adjourned. In the event the parties cannot resolve the implementation issue by the time of the Answer's due date on October 30, 2023, Defendants recommend a pretrial conference date of November 13, 2023 or any other date that week or the following that is convenient for the Court.

This is the first such request Defendants have made to adjourn the pretrial conference. This adjournment does not affect any other deadlines in this case.

I have communicated with Irina Roller, attorney for Plaintiff, who consents to the adjournment requested herein.

Thank you for your consideration of this matter.

Respectfully submitted,

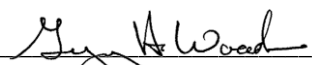
 /s/

Jordan Doll
Assistant Corporation Counsel

Defendants' request to adjourn the conference scheduled October 3, 2023 is granted. The conference is adjourned to November 27, 2023 at 10:00 a.m. The deadline for the parties to submit the joint letter and proposed case management plan discussed in the Court's August 4, 2023 order, Dkt. No. 4, is extended to November 20, 2023. The Clerk of Court is directed to terminate the motion pending at Dkt. No. 11.

SO ORDERED.

Dated: September 26, 2023
New York, New York



GREGORY H. WOODS
United States District Judge